

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2014-144193-001 SE

08/06/2015

JUDGE PRO TEM CYNTHIA L. GIALKETSIS

CLERK OF THE COURT

K. DeSanna

Deputy

STATE OF ARIZONA

KELLY S NEAL

v.

KATI ODDONETTO (001)

DOB: 02/25/1987

STACY DEANNE MEALEY

APO-SENTENCINGS-SE

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED/IMPRISONMENT

11:45 a.m.

Courtroom SEF 201

State's Attorney: Stephen Walker

Defendant's Attorney: Stacy Mealey

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 1 - AGGRAVATED DRIVING OR ACTUAL PHYSICAL
CONTROL WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS
Class 4 FELONY

A.R.S. § 13-105, 13-1381(A)(1), 28-1383(A)(1), (D), (J), (H), (K), (L), 28-1384, 28-1444, 28-1461, 28-3001, 28-3304, 28-3305, 28-3306, 28-3315, 28-3319, 28-1304, 12-114.01, 13-610, 13-701, 13-702, 13-801

Date of Offense: on or about 09/26/2012

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 4 month(s) from 08/06/2015

Presentence Incarceration Credit: 20 day(s)

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 1 Probation Term: 4 years

Upon release from prison for felony DUI (4 months; 20 days credit).

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning 02/01/2016.

FINE: Count 1 - Total amount of \$1372.50, which includes surcharges of 83%, payable \$25.00 per month beginning 02/01/2016.

Fine is to be paid to the Arizona Drug Enforcement Fund.

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DUI Abatement Fund: Count 1 - \$250.00, payable \$25.00 per month, beginning 02/01/2016.

PRISON CONSTRUCTION & OPERATIONS FUND: Count 1 - \$1500.00, payable \$25.00 per month, beginning 02/01/2016.

Count 1: \$1500.00 payable \$25.00 per month to the Public Safety Equipment Fund pursuant to A.R.S. § 41-1723 beginning 02/01/2016.

PROBATION ASSESSMENT: Count 1 - \$20.00 payable on 02/01/2016.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on 02/01/2016.

INTER-COUNTY TRANSFER FEE: Count 1 - \$150.00, payable \$150.00 per month, beginning 02/01/2016.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13.00 payable on 02/01/2016.

Investigative Agency:

Chandler Police Department

All amounts payable through the Clerk of the Superior Court.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 22: Other: Defendant shall not drive without valid driving privileges. Defendant shall complete substance abuse counseling. Defendant shall install a certified ignition interlock device on any vehicle Defendant operates. Defendant shall complete the MADD Victim Impact Panel.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

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Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 2, 3 and 4.

Count(s) 1: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

11:50 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM CYNTHIA L. GIALKETSIS
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)